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Robert B. Pinkert, O.D.
President

Christina M. Sorenson, O.D.
Vice President



Arizona State Board of Optometry
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Margaret Whelan
Executive Director

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FINAL MINUTES FOR REGULAR SESSION MEETING: SEPTEMBER 15, 2006

Board Members

Robert B. Pinkert, O.D., President
Christina M. Sorenson, O.D., Vice-President
Caroline Griego, O.D.
Robert J. Maynard, O.D.
Curtis R. Winkler, M.D.
Melissa Bengtson, Public Member

Staff:

Margaret Whelan, Executive Director
Paula Hollins, Licensing Administrator

Legal Counsel:

A. CALL TO ORDER:

Dr. Pinkert called the meeting to order at 9:06 a.m.

B. ROLL CALL:

Board Members Present: Robert B. Pinkert, O.D., President
Robert J. Maynard, O.D.
Caroline Griego, O.D.
Melissa Bengtson, Public Member

Board Members Absent: Christina M. Sorenson, O.D., Vice President
Curtis Winkler, M.D.

Legal Counsel Present: Melissa Cornelius, Assistant Attorney General
(arrived at 9:20 a.m.)

Staff Present: Margaret Whelan, Executive Director
Paula Hollins, Licensing Administrator

C. PRESIDENT'S REPORT:

Dr. Pinkert welcomed Ms. Bengtson to the Board.

D. REVIEW, DISCUSSION AND VOTE ON INVESTIGATIVE REVIEWS/COMPLAINTS:

1. A.P. vs. Lana Wade, O.D. and Gregory Simpson, O.D. IR#200702

Technical Correction: Second named doctor in this complaint is Gary Simpson, O.D., License #219. Gregory Simpson, O.D. was not named in this complaint.

Dr. Maynard summarized the case and recommended the Board dismiss the case due to lack of violation of the optometry practice act.

MOTION: Dr. Maynard moved to dismiss the case due to lack of violation of the optometric practice act. Dr. Griego seconded the motion.

	Vote	Caroline Griego, O.D.	Robert Maynard, O.D.	Melissa Bengtson, Public Member	Curtis Winkler, M.D.	Robert Pinkert, O.D.	Christina Sorenson, O.D.
YES	4	X	X	X		X	
NO	0						
ABSTAIN	0						
ABSENT	2				X		X

VOTE: Motion passes 4-0.

E. REVIEW, DISCUSSION AND POSSIBLE BLOCK VOTE ON PENDING REGULAR LICENSE APPLICATIONS:

2. Hoang, Corona
3. Patel, Pramesh

MOTION: Dr. Griego moved to approve items 2 and 3 for licensure. Ms. Bengtson seconded the motion.

	Vote	Caroline Griego, O.D.	Robert Maynard, O.D.	Melissa Bengtson	Curtis Winkler, M.D.	Robert Pinkert, O.D.	Christina Sorenson, O.D.
YES	4	X	X	X		X	
NO	0						
ABSTAIN	0						
ABSENT	2				X		X

VOTE: Motion passed 4-0.

F. REVIEW, DISCUSSION AND POSSIBLE BLOCK VOTE ON PENDING ENDORSEMENT APPLICATIONS:

4. Ng, Nolan

MOTION: Dr. Maynard moved to approve item 4 for licensure. Ms. Bengtson seconded the motion.

AMENDED MOTION: Dr. Pinkert moved to issue a license upon receipt of updated application within 30 days. Dr. Griego seconded the motion.

	Vote	Caroline Griego, O.D.	Robert Maynard, O.D.	Melissa Bengtson	Curtis Winkler, M.D.	Robert Pinkert, O.D.	Christina Sorenson, O.D.
YES	4	X	X	X		X	
NO	0						
ABSTAIN	0						
ABSENT	2				X		X

VOTE: Motion passed 4-0.

5. Schanes, David

MOTION: Dr. Pinkert moved to approve item 5 for licensure. Dr. Maynard seconded the motion.

	Vote	Caroline Griego, O.D.	Robert Maynard, O.D.	Melissa Bengtson	Curtis Winkler, M.D.	Robert Pinkert, O.D.	Christina Sorenson, O.D.
YES	4	X	X	X		X	
NO	0						
ABSTAIN	0						
ABSENT	2				X		X

VOTE: Motion passed 4-0.

G. REVIEW, DISCUSSION AND POSSIBLE VOTE ON PHARMACEUTICAL AGENT CERTIFICATE APPLICATION:

6. Kuhns, Ronald

MOTION: Dr. Griego moved to approve item 6 for a Pharmaceutical Agent Certificate. Dr. Pinkert seconded the motion.

	Vote	Caroline Griego, O.D.	Robert Maynard, O.D.	Melissa Bengtson	Curtis Winkler, M.D.	Robert Pinkert, O.D.	Christina Sorenson, O.D.
YES	4	X	X	X		X	
NO	0						
ABSTAIN	0						

ABSENT	2				X		X
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VOTE: Motion passed 4-0.

H. REVIEW, DISCUSSION, AND POSSIBLE ACTION ON APPROVAL OF CONTINUING EDUCATION AS PROVIDED BY A.R.S. §32-1704 (D) and A.A.C. R4-21-208:

	Continuing Education	Date	No. of hours requested
a.	GWCO Congress 2006	October 19-22, 2006	78 Regular
b.	CAOA	September 12, 2006	3 Regular
c.	Case Presentations by VA Residents @ Metropolitan	May 16, 2006	2 Regular
d.	Implantable Collomer Lens, ICL	October 17, 2006	1 Regular
e.	2006 Vision Rehabilitation and Technology Expo	November 17, 2006	5 Regular

MOTION: Dr. Maynard moved to accept items a thru e. Ms. Bengtson seconded the motion.

VOTE: The motion passed 4-0.

I. DISCUSSION WITH BOARD OF DISPENSING OPTICIANS CONCERNING ISSUES, RULES AND STATUTES:

7. Opticians filling expired prescriptions
8. Large Optometrist owned corporations; regulating the Optical side of the business
9. Disclaimers on prescriptions for eyeglasses

The Board discussed the rules and regulations of the Dispensing Opticians Board and the Optometry Board and how to address jurisdiction issues.

J. DISCUSSION ON DISTINCTION BETWEEN ENDORSEMENT AND REGULAR APPLICATION STATUTES:

10. Review of Endorsement applications and requirements
11. Endorsement applicants and the NBEO

The Board discussed for clarification, the distinction between Endorsement and Regular Applicants pursuant to current rules and statutes.

K. INITIAL REVIEW OF INSURER REPORTS TO DETERMINE INVESTIGATION PROCEEDINGS:

12. Sheldon Morgenstern, O.D.
13. Daniel McGehee, O.D.

The Board reviewed items 12 and 13 and determined that a formal complaint is not warranted at this time.

L. REVIEW, DISCUSSION AND POSSIBLE VOTE REGARDING COMPLIANCE WITH PROBATIONARY ORDER:

14. Vincent G. Sanchez, O.D., IR#200422

Dr. Pinkert summarized the case and requested direction from Ms. Cornelius to address Dr. Sanchez's non-compliance with his current order.

MOTION: Dr. Pinkert moved to direct Ms. Cornelius to draft a Stay of Revocation order with immediate suspension. The order may include a psychological evaluation with an examiner approved by the Board. Upon completion of evaluation, Dr. Sanchez must appear before the Board to be reinstated to active status. The issue will move to Formal Administrative Hearing if the Stay of Revocation is not signed within 15 days from receipt by Dr. Sanchez. Dr. Maynard seconded the motion.

VOTE: The motion passed 4-0.

M. GENERAL DISCUSSION REGARDING USE AND MAINTENANCE OF ELECTRONIC PATIENT RECORDS:

Ms. Whelan summarized Electronic Medical Records language for possible use in current rules.

N. REVIEW, DISCUSSION AND POSSIBLE APPROVAL OF BOARD MEETING MINUTES:

15. August 18, 2006 Regular Session Minutes
16. August 18, 2006 Executive Session Minutes

MOTION: Dr. Maynard moved to approve tabs 15 and 16 as written. Dr. Griego seconded the motion.

VOTE: The motion passed 4-0.

O. ELECTION OF OFFICERS PURSUANT TO THE PROVISIONS OF A.R.S. §32-1703(A):

Tabled until next regularly scheduled meeting.

P. EXECUTIVE DIRECTOR'S REPORT:

17. Review of Board materials
18. Promulgation of rules to be amended
19. Tuition reimbursement
20. Summary of complaints
21. Staff review of application process
22. Miscellaneous administrative updates

Ms. Whelan reported on tabs 17 thru 22 inclusive.

Q. CALL TO PUBLIC:

Dr. Pinkert

Dr. Pinkert made a call to the public at 11:58 a.m. No one was present to address the Board.

Dr. Pinkert moved to adjourn the meeting. Dr. Maynard seconded the motion.

Meeting adjourned at 11:59 a.m.

END OF MINUTES:

Margaret Whelan, Executive Director

Date